

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JUNE 19, 2000 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Shoecraft; Council Members: Camp, Cook, Fortenberry, Johnson, McRoy, Seng; Paul A. Malzer, Jr., City Clerk;
The Council stood for a moment of silent meditation.

READING OF THE MINUTES

SENG Having been appointed to read the minutes of the City Council proceedings of June 12, 2000, reported having done so, found same correct.
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

MAYORS AWARD OF EXCELLENCE

Mayor Wesley: Thank you Mr. Chairman and Members of the Council. It's an honor to present a number of awards this afternoon. We're going to begin with the winner for the March 2000 Mayor's Award of Excellence and that individual is someone we're pretty familiar with, Mike DeKalb. Mike you want to come on up? Mike DeKalb is a Planner for the Planning Dept. was nominated by his supervisor for his work on the Mayor's Task Force with regard to the recent City Billboard issue. Mike provided a unique combination of interpersonal skills and technical background in order to guide Task Force members through the maize of issues the topic presented. Kent Morgan, Mike's supervisor, had this to say about Mike's work. Mike's leadership in working with the Mayor's Task Force to find a resolution of the billboard issue was exceptional. The Task Force agreed to meet on a weekly basis and during the course of these meetings Mike rallied a myriad of resources from numerous City departments to keep the Task Force moving forward. Mike sought compromise where it was achievable and culminated dissent where it was constructive to do so. He demonstrated patience, leadership, and a positive demeanor in gathering opinions and commitments from all participants. He represented the City's interests fairly while affording a full discussion of the issues. As a result of his dedication and the manner in which he was able to work with the Task Force members and the general public Mike receives the Mayor's Award of Excellence in the area of Customer Relations. And, before I go on to actually recognize Mike I know Jon and Jonathan served on the Task Force and I know Jeff had a little bit of involvement with this matter and all of us eventually did, but I think we all know how good a job Mike did on this project and that is a real testament to your leadership and skills because that was a tough issue and we found a way through it. And so, again on behalf of the City of Lincoln I want to recognize Mike for his hard work and award him with the March 2000 Mayor's Award of Excellence. Mike. He says he's speechless. He wasn't planning on saying anything.

Jon Camp, Council Member: Mayor if I may, I just do have to second, I've served on a lot of different groups like this and Mike, you just, as I told you at the time, did an outstanding job of keeping us in line. It's phenomenal to go into an hour meeting and come out an hour later, thank you.

Kathleen Sellman, Director of Planning Dept.: The billboard project was wrapping up at the time that I got here and I want to tell you all how surprised I was that it was wrapping up at the time that I got here. During the time that I interviewed for my position I was watching the web page of the Journal Star and kind of trying to track the progress of things that were going on here and when I saw the billboard issue was coming up and was going to be dealt with through a Task Force I thought this is truly hopeless and as it turned out it wasn't. And, I think the outcome is largely because of the efforts of Mike DeKalb and I want to thank him for what he's done on that and for the energy and commitment that he brings to all of his work. So, thanks Mike.

Jonathan Cook, Council Member: I would just like to say something real quick because I want to second the remarks that have been made so far. And, having served on a few Task Forces and some of which have gone on for years where a resolution was very difficult and we weren't sure we'd come out alive I have to say this was a fantastic experience and I really appreciate your leadership on this. The meetings were well run and we got our job done and so thank you very much.

Mayor Wesley: The next award recipient is for the month of April and I'd like to ask Mario Robinson, Officer Robinson to come forward. Officer Robinson is a six year veteran in the Lincoln Police Dept. He was nominated by the Mayor's Award for Excellence for his role in the March bank robbery incident in which a rural Greenwood couple was shot in their

home. Officer Robinson was one of the first Police Officers on the scene. On making the determination to gain entry Officer Robinson quickly determined the couple had sustained life threatening injuries from gun shot wounds and began medical intervention. Officer Robinson has extensive training in EMT and his training along with his skills and calming demeanor had surely contributed to the saving of these two peoples lives. According to his supervisor Sgt. Meyers, Officer Robinson did not hesitate to take over the situation once he arrived on the scene. His judgement and life saving skills were invaluable on this occasion. Greenwood Rescue later called to thank Officer Robinson for his excellent work and to say he had handled the situation in an extremely efficient manner which made their job much easier. It was the opinion of Greenwood Rescue that Officer Robinson's actions were definitely life saving for the injured couple. I'm proud to present Officer Robinson with the Mayor's Award of Excellence in the category of Valor for April 2000. Officer Robinson.

Officer Mario Robinson, Lincoln Police Dept.: I didn't know I was to speak Mr. Mayor so thank you. I think I was just fortunate enough to be there. I've had a lot of extensive training. I never thought it would actually pay-off in this line of work, but I guess it did. I know it's something that I'll probably never forget. This job is pretty much (inaudible) comes and goes and accolades that you get are very nil to none pretty much, but this means a lot to me and I'd just like to thank the Mayor.

Mayor Wesley: Is there someone from the Police Dept. that was going to ... evidently not. Well, let me again on behalf of the City of Lincoln, Officer Robinson, Chief Casady had briefed me on the work that you did and I had heard about the outstanding job that you did and we are very proud of you and we're very grateful for what you did to save those couples lives. So, thank you very much. The next recipients we have are for the May 2000 award for excellence and here we have a number of individuals, Dave Rydl, Clint Bundy, Rich Wohlers, Mark Reynolds, & Mike House. If you'd come forward. The Mayors Award of Excellence for May applauds the team of Dave Rydl, Clint Bundy, Rich Wohlers, Mark Reynolds, & Mike House. These Public Works employees were assigned to the North 48th Street Small Vehicle Transfer Station. They were recommended for the Mayor's Award of Excellence by their supervisor Carla Welding for their work rebuilding and reconditioning the transfer station walking floor. As a result of major repair it was recommended by the equipment manufacturer these employees discussed the inconvenience the general public would suffer as well as the repair costs that would be charged to the City in the process. The commitment to minimize the impact to customers, to save money, and to develop a more thorough knowledge of mechanical and hydraulic components of the walking floor initiated by Dave and then supported by the other gentlemen being recognized today. The preparation and organization that occurred before the transfer station was taken out of service greatly reduced the amount of time and extended inconvenience to the public. And, the completed repair significantly reduced the potential for future failures. Each of these men's contributions to the project served to minimize the impact to customers resulted in an estimated savings of \$15,000 to \$20,000. My congratulations and thanks go to Dave, Clint, Rich, Mark & Mike. Congratulations. Is there anyone from Public Works? Allen's here.

Allen Abbott, Director of Public Works Dept.: I'd like to extend my congratulations to these five individuals. I think it proves two points; one if you work as a team things get accomplished much better than one individual trying to accomplish something by themselves. And, the second is something I've always believed is if you turn a project over to the employees or the people that are doing it they'll come up with a lot better situation than somebody sitting at a desk on South 10th Street telling them how it should be done. So again, I want to congratulate you all and I'm very proud of our Public Works employees.

Mayor Wesley: Mr. Chairman and Members of the Council, I'm very proud of these employees and want to thank all of them for their hard work on behalf of the City and look forward to continue to work with them in the future. Thank you for your time.

PUBLIC HEARING

RENAMING "WILDFLOWER DR." LOCATED IN THE NORTHRIDGE HEIGHTS 6TH & 7TH ADDS. AS "CORNFLOWER DR.", & RENAMING "CYPRESS LN." LOCATED IN NORTHRIDGE HEIGHTS 6TH ADD. AS "WATERCRESS LN." - Ray Hill, Planning Dept. - Just here to answer any questions the Council may have.

This matter was taken under advisement.

SPECIAL PERMIT 1838 - APPLICATION OF THE DISABLED AMERICAN VETERANS CHAPTER NO. 7 TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE

PREMISES ON PROPERTY GENERALLY LOCATED AT 3901 NORTH 70TH STREET - Irvin Cidlik: I'm here just as the manager representing the Disabled American Chapters.

Jerry Shoecraft, Council Member: Is this a facility? The actual facility?

Mr. Cidlik: This is the Chapter house and there's a lounge or bar inside of it, part of it.

Mr. Shoecraft: And, the hours would be from what?

Mr. Cidlik: Three till one, except Mondays.

Mr. Shoecraft: Three to one.

Mr. Cidlik: On the Special Permit there was some trees that are suppose to be put next to the, between the parking lot and the neighbor and those are ordered. There's a little provision there that they recommended that and I've got those ordered from Campbell's nurseries and they should be put in this week. It should all be taken care of.

This matter was taken under advisement.

DECLARING THE AREA GENERALLY BOUNDED BY N STREET ON THE SOUTH, N. 26TH STREET ON THE WEST, X STREET ON THE NORTH, AND N. 27TH STREET ON THE EAST, AS BLIGHTED AND SUBSTANDARD - Wynn Hjermstad, Urban Development: I'm Wynn Hjermstad with the City's Urban Development Dept. here basically just to answer any questions that you might have on this. It's a fairly standard blight study. Some of you may recall this was at one time part of the old Northeast Radial Redevelopment area. At that time the Radial was really a residential plan reusing the land that had been acquired for the radial. We needed a boundary and 27th Street was a logical boundary, although as many of you know that was not the emphasis area of the Radial. So, and also as you know North 27th Street now is an emphasis area of the City. This area fell out of the blighted area a couple of years ago. So, in some respects this is a housekeeping move to get it declared blighted once again so that we can move forward with continuing the activities we've already begun.

This matter was taken under advisement.

MISCELLANEOUS HEARING

Richard Halvorsen, 6311 Inverness Rd.: He filed a protest with the State Liquor Commission to the Embassy Suites liquor license. They proceeded to serve liquor under the catering license of the Embassy Suites in Omaha. He asked how they could be serving liquor for two weeks. City Clerk Malzer stated that they could do this was done under a Special Designated Liquor License applicant that was a caterer out of Omaha. Mr. Halvorsen said he would get back with the State on this issue.

This matter was taken under advisement.

Mark Hunzeker, 530 S. 13th St., Suite B: He questioned the notice attached to the agenda reference the application of the Fire Dept. to operate an ambulance service & that it did not mention any of the other applicants. He wanted to know if that was the only application that is to be heard.

Mr. Shoecraft: Answered that all three applicants would be heard.

Mr. Cook: Stated that the Public Notice on the back page of the agenda is because a municipal entity that is considering providing emergency medical services through a public entity they must give a certain special notice of that hearing. That satisfies the State Statute in regards to that. The hearing actually covers all of the applicants.

This matter was taken under advisement.

PETITIONS & COMMUNICATIONS

INFORMAL PETITION TO KEEP RETAINING WALL AT 2620 JACQUELYN DR. SIGNED BY MANH TIEN & THAO NGUYEN DO - CLERK presented said petition which was referred to the Public Works Dept.

FORMAL PETITION FOR ALLEY PAVING AT NORTH/SOUTH ALLEY, ST. PAUL TO MADISON & 49TH TO 50TH ST. SIGNED BY FIRST UNITED METHODIST CHURCH, LINDA CARLSON SCHMIDT, BOARD OF TRUSTEES CHAIRPERSON - CLERK presented said petition which was referred to the Law Dept.

THE FOLLOWING WERE REFERRED TO PLANNING DEPT.:

Special Permit 1629B - App. of DuTeau Investment Co. to add a 32 sq. ft. 20 ft. high illuminated pole sign at South 27th St. & Porter Ridge Rd.

Special Permit 1753A - App. of R.C. Krueger Dev. Co. to develop a C.U.P. containing 218 apartment units, parking, clubhouse & 150 child care

facility at South 14th St. & Pine Lake Rd.
Special Permit 1844 - App. of Kim Elder & Mary F. Elder to remodel south end of Tam O'Shanter, 105 S. 25th St. for extra seating, pool, darts, golf game and handicap bathroom.
Special Permit 1846 - App. of Capital Contractors, Inc., Curt Smith to allow 78' wireless communication pole & equipment at remaining triangular portion of vacated W St. from east line of 9th St to NW line of railroad ROW.
Special Permit 1847 - App. of Pius X High School corp. to allow pole replacement & installation of wireless transmission equipment w/stadium lighting on property at 6000 A St.
Special Permit 1848 - App. of Michael G. & Toni L Unthank to expand an existing two-car residential garage located at 11" from the side lot line at 2961 Sheridan Blvd.
Special Permit 1849 - App. of Cormack Family Enterprises to utilize residential property for driveway & screening for commercial parking area at Lot 2, Cormack First Add.
Special Permit 1851 - App. of Tabitha, Inc. & Tabitha Housing Corp. to amend Spec. use Permit to allow development of facility for combined early childhood care facility & adult daycare facility or in the alternative only early childhood care facility at 4720 Randolph St.; Northwest of 48th & Randolph Sts.
Change of Zone 3258 - App. of Aspen Builders, Inc. to for a change from AGR Agricultural Residential Dist. to R-3 Residential Dist. & H-4 General Commercial Dist. at West A St. & SW 7th St.

APP. OF LINCOLN ROTARY CLUB #14 TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN -
CLERK requested to have hearing for Monday, July 3, 2000, 1:30 p.m.
CAMP So moved.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REPORTS TO CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON June 5, 2000 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:
A-80245 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:
That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 06/9/00)
Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REPORT FROM CITY TREASURER OF MONTHLY CITY CASH REPORT AT THE CLOSE OF BUSINESS MAY 31, 2000 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

REPORTS FROM CITY TREASURER OF TELECOMMS. OCC. TAX DUE FOR THE MONTH OF May, 2000 FROM ONE CALL, INT'L EXCHANGE - CLERK presented said reports which were placed on file in the Office of the City Clerk. (20)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF MAY, 2000 FROM UTILICORP UNITED GAS CO. - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

OTHER RESOLUTIONS

APPOINTING GIL TREVIZO TO THE CITIZEN POLICE ADVISORY BOARD TO FILL AN UNEXPIRED TERM EXPIRING NOVEMBER 17, 2000 -CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:
A-80234 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Gil Trevizo to the Citizen Police Advisory Board to fill an unexpired term expiring November 17, 2000 is hereby approved.
Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING AMIR AZIMI TO THE MULTICULTURAL ADVISORY COMMITTEE TO FILL AN UNEXPIRED TERM EXPIRING SEPTEMBER 18, 2002 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80235 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Amir Azimi to the Multicultural Advisory Committee to fill an unexpired term expiring September 18, 2002 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS FOR THE REPLACEMENT OF THE CHARLESTON STREET BRIDGE OVER SALT CREEK - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80236 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for the replacement of the Charleston Street Bridge over Salt Creek, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to the Department of Public Works, for transmittal and execution by the State Department of Roads.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1838 - APPLICATION OF THE DISABLED AMERICAN VETERANS CHAPTER NO. 7 TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES ON PROPERTY GENERALLY LOCATED AT 3901 NORTH 70TH STREET - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80237 WHEREAS, the Disabled American Veterans Chapter No. 7 has submitted an application designated as Special Permit No. 1838 for authority to sell alcoholic beverages for consumption on the premises generally located at 3901 North 70th Street, legally described as:

Lots 4, 5, and 6, Block 9, Ackerman Addition, located in the Northeast Quarter of Section 9, Township 10 North, Range 7 East, Lincoln, Lancaster County, Nebraska; more particularly described as follows:

Commencing at the southeast corner of Lot 6, Block 9, Ackerman Addition; thence west on the south line of said Lot 6, a distance of 25 feet 00 inches; thence north on a line 25 feet 06 inches west of and parallel to the east line of said Lot 6, a distance of 42 feet 00 inches to the point of beginning; thence continuing on the last described course, a distance of 52 feet 00 inches; thence west on a line 95 feet 00 inches north of and parallel to the south line of said Lot 6, a distance of 65 feet 04 inches; thence south on a line 90 feet 04 ½ inches west of and parallel to the east line of said Lot 6, a distance of 52 feet 00 inches; thence east on a line 43 feet 00 inches north of and parallel to the south line of Lot 6, a distance of 65 feet 04 ½ inches to the point of beginning; containing a calculated area of 3,408.1 square feet, more or less; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of the Disabled American Veterans Chapter No. 7, hereinafter referred to as "Permitee", to sell alcoholic beverages for consumption on the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcoholic beverages for consumption on the premises only at the establishment known as the Disabled American Veterans No. 7 located at 3901 North 70th Street.

2. Provide a revised site plan showing additional landscaping and screening to mitigate the impact of the liquor sales on the dwelling to the north and the dwellings to the east across 70th Street.

3. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

4. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

5. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None; CONFLICT OF INTEREST: Camp.

DECLARING THE AREA GENERALLY BOUNDED BY N STREET ON THE SOUTH, N. 26TH STREET ON THE WEST, X STREET ON THE NORTH, AND N. 27TH STREET ON THE EAST, AS BLIGHTED AND SUBSTANDARD - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80238 WHEREAS, it is desirable and in the public interest that the City of Lincoln, Nebraska, a municipal corporation and a city of the primary class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1943, as amended, known as the Community Development Law, is the urban renewal and redevelopment law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with its Home Rule Charter and the laws of the State of Nebraska applicable to cities of the primary class has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943; and

WHEREAS, this Council has received and duly considered evidence relating to the present condition of the North 26th/27th Street Redevelopment Area, as shown and described on Attachment "A"; and

WHEREAS, this Council has received and duly considered other evidence, including evidence relating to the scope and limitations of the previous redevelopment plan in the area, and the inability of the previous plan to effectively remedy the substandard and blighted conditions;

WHEREAS, Article 8, Section 12 of the Constitution of the State of Nebraska requires that said area must be found to be both substandard and blighted in order for tax increment financing to be used in said area; and

WHEREAS, Section 18-2109, R.R.S. 1943, as amended, requires that prior to the preparation by the City of an urban redevelopment plan for a redevelopment project for the North 26th/27th Street Redevelopment Area, this Council as governing body of the City, by resolution, after review and recommendation from the Lincoln City Lancaster County Planning Commission, find and determine that said area is both a substandard and blighted area as defined in said Community Development Law, and in need of redevelopment; and

WHEREAS, on May 19, 2000 notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the public hearing to be held on May 31, 2000 before the Lincoln City - Lancaster County Planning Commission regarding the proposed determination that the North 26th/27th Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission on May 31, 2000 recommended that the North 26th/27th Street Redevelopment Area be found to be both a substandard and blighted area as defined in

said Community Development Law and the evidence demonstrates that said North 26th/27th Street Redevelopment Area as shown and described on Attachment "A" constitutes both a substandard and blighted area as defined in said Community Development Law, which area is in need of redevelopment.

WHEREAS, on June 9, 2000 a notice of public hearing was mailed, postage prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on June 19, 2000 regarding the proposed determination that the North 26th/27th Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on June 2, 2000 and June 9, 2000 a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing to be held on June 19, 2000 regarding the proposed determination that the North 26th/27th Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on June 19, 2000 in the City Council Chambers of the County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed that the North 26th/27th Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed determination.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That it is hereby found and determined that the North 26th/27th Street Redevelopment Area as shown and described on Attachment "A", constitutes both a substandard and blighted area as defined by subsections (10) and (11), respectively, of Section 18-2103, R.R.S. 1943, as amended, and that said area is in need of redevelopment.

2. That it is hereby found and determined that substandard and blighted conditions exist as set forth and discussed in Attachment "F" (entitled North 26th/27th Street Redevelopment Area- Blight/Substandard Determination Study) attached hereto and incorporated herein as though fully set forth verbatim.

3. That despite the previous redevelopment plan such substandard and blighted conditions are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing. The elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.

4. That it is hereby found and determined that said area is an eligible site for an urban redevelopment project under the provision of Chapter 18, Article 21, Nebraska Revised Statutes of 1943, as amended.

BE IT FURTHER RESOLVED that the Department of Urban Development as the duly designated community development agency for the City of Lincoln is hereby authorized and directed to immediately proceed with the preparation of a new redevelopment plan and associated projects for the North 26th/27th Street Redevelopment Area, which plan shall be prepared in accordance with the requirements and procedures of said Chapter 18, Article 21, for ultimate review and consideration by this Council.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE NEBRASKA STATE HISTORICAL SOCIETY TO ALLOW FOR THE SUBLEASE OF APPROXIMATELY 26,000 SQUARE FEET OF SPACE AT THE LINCOLN CHILDREN'S MUSEUM LOCATED AT 1420 P STREET FOR USE BY THE STATE HISTORICAL SOCIETY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80239 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City and the Nebraska State Historical Society to allow for the sublease of approximately 26,000 square feet of space at the Lincoln Children's Museum, located at 1420 P Street for use by the State Historical Society, in accordance with the terms and conditions contained in said agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the original Agreements to the Parks and Recreation Department for transmittal to the State Historical

Society for execution by the State.

Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING WAYNE HEYEN TO THE AIR POLLUTION CONTROL ADVISORY BOARD TO FILL AN UNEXPIRED TERM EXPIRING SEPTEMBER 1, 2000 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80240 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Wayne Heyen to the Air Pollution Control Advisory Board to fill an unexpired term expiring September 1, 2000 is hereby approved.

Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REAPPOINTING FRANCENE BLYTHE TO THE LINCOLN HOUSING AUTHORITY BOARD FOR A FIVE-YEAR TERM EXPIRING JULY 1, 2005 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80241 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Francene Blythe to the Lincoln Housing Authority Board for a five-year term expiring July 1, 2005 is hereby approved.

Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING DR. GREG KALLOS TO THE LINCOLN-LANCASTER COUNTY COMMISSION ON AGING ADVISORY BOARD FOR A THREE-YEAR TERM EXPIRING JULY 1, 2003 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80242 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Dr. Greg Kallos to the Lincoln-Lancaster County Commission on Aging Advisory Board for a three-year term expiring July 1, 2003 is hereby approved.

Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REAPPOINTING MARY KYCKELHAHN, BARRY MOORE, AND BONNIE ARMSTRONG TO THE LINCOLN-LANCASTER COUNTY COMMISSION ON AGING ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING JULY 1, 2003 - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80243 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of the following persons to the Lincoln-Lancaster County Commission on Aging Advisory Board for three-year terms expiring July 1, 2003, is hereby approved.

Mary Kyckelhahn
Barry Moore
Bonnie Armstrong

Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING DATE OF MON., JULY 3, 2000 AT 1:30 P.M. ON THE APP. OF LANCE BROWN DBA "STUDIO 14" FOR A RETAIL CLASS "I" LIQUOR LICENSE AT 1415 O ST. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80244 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., July 3, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of Lance Brown dba "Studio 14" for a Retail Class "I" liquor license at 1415 O St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ORDINANCES - 1ST & 2ND READING

AMENDING SECTION 8.08.020 TO PROVIDE AN EXCEPTION TO THE REQUIREMENT OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR GOVERNMENT PROVIDERS OF SERVICE; AMENDING SECTION 8.08.090 TO PROVIDE ENFORCEABLE RESPONSE TIME VERIFICATION - CLERK read an ordinance, introduced by Cindy Johnson,

amending Chapter 8.08 of the Lincoln Municipal Code relating to the Ambulance Transportation Code by amending Section 8.08.020 to provide an exception to the requirement of a certificate of public convenience and necessity for government providers of service; amending Section 8.08.090 to provide enforceable response time verification; and repealing Sections 8.08.020 and 8.08.090 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SECTION 2.20.010 TO PROVIDE THAT THE FIRE CHIEF HAVE CARE AND CONTROL OF ALL EQUIPMENT AND MANAGEMENT OF THE EMERGENCY MEDICAL SERVICES PROGRAM; ADDING A NEW SECTION NUMBERED 2.20.015 TO PROVIDE THAT EMERGENCY MEDICAL SERVICES AND AMBULANCE TRANSPORT BE ASSIGNED TO THE FIRE DEPARTMENT - CLERK read an ordinance, introduced by Cindy Johnson, amending Chapter 2.20 of the Lincoln Municipal Code relating to the fire department by amending Section 2.20.010 to provide that the Fire Chief have care and control of all equipment and management of the emergency medical services program; adding a new section numbered 2.20.015 to provide that emergency medical services and ambulance transport be assigned to the Fire Department; and repealing Section 2.20.010 of the Lincoln Municipal Code as hitherto existing, the first time.

CREATING ALLEY RE-PAVING DIST. 47 IN THE EAST/WEST ALLEY FROM 14TH ST. TO CENTENNIAL MALL, BETWEEN P & Q STS. - CLERK read an ordinance, introduced by Jon Camp, creating Alley Re-paving Dist. 47, defining the limits thereof, establishing the width of the alley roadway to be repaved, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements & additional right-of-way, if necessary, & repealing all ordinances or parts of ordinances in conflict herewith, the second time.

RENAMING "WILDFLOWER DR." LOCATED IN THE NORTHRIDGE HEIGHTS 6TH & 7TH ADDS. AS "CORNFLOWER DR.", & RENAMING "CYPRESS LN." LOCATED IN NORTHRIDGE HEIGHTS 6TH ADD. AS "WATERCRESS LN." - CLERK read an ordinance, introduced by Jon Camp, changing the name of Wildflower Dr. to Cornflower Dr. located in the Northridge Heights 6th & 7th Adds., & changing the name of Cypress Ln. to Watercress Ln. in Northridge Heights 6th Add., as recommended by the Street Name Committee, the second time.

VACATING TIMOTHY CT. EAST OF N. 24TH ST. BETWEEN SUPERIOR ST. & DODGE ST. - CLERK read an ordinance, introduced by Jon Camp, vacating a portion of Timothy Ct. east off of N. 24th St. between Superior St. & Dodge St., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATING LOTS 36, 37, 38, & 39, BLOCK 1, NORTHRIDGE HEIGHTS 6TH ADD., & OUTLOT A, NORTHRIDGE HEIGHTS 7TH ADD., GENERALLY LOCATED AT PRAIRIEVIEW DR. & N. 34TH ST. - CLERK read an ordinance, introduced by Jon Camp, vacating a portion of Northridge Heights 6th Add. & Northridge Heights 7th Add., Lincoln, Lancaster County, Nebraska, the second time.

CHANGE OF ZONE 3257 - APP. OF THE PLANNING DIRECTOR FOR A CHANGE FROM P PUBLIC TO I-1 INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT 6TH & THE BURLINGTON NORTHERN RAILROAD - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the second time.

MISCELLANEOUS BUSINESS

PENDING LIST -

FORTENBERRY Moved to extend the Pending List for 1 week.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

UPCOMING RESOLUTIONS

FORTENBERRY Moved to approve the resolutions to have Public Hearing on June 26, 2000.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ADJOURNMENT

REGULAR MEETING
JUNE 19, 2000
PAGE 100

2:05 P.M.

FORTENBERRY Moved to adjourn the City Council Meeting of June 19, 2000.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

So ordered.

RECONVENED

SHOW CAUSE HEARING FOR JUNE 19, 2000

2:05 P.M.

RE: SPECIAL PERMIT NO. 1165A - TO SHOW CAUSE WHY SAID SPECIAL

PERMIT SHOULD NOT BE REVOKED FOR FAILURE TO COMPLY WITH THE CONDITIONS OF THE SPECIAL PERMIT. (1301 "H") - Rick Peo, Law Dept.: Before we commence the Show Cause Hearing I just wanted to make a couple of comments to the Council. One I think the testimony will show that the basis for this coming before you results from a dispute between two property owners over the use of their joint properties for parking. The City's kind of brought into this in a limited capacity in that we're not here to seek to determine who's right or who's wrong as to the shared parking or not shared parking between the two property owners and what their legal remedies might be between each other. But, this situation involves the Noble Dawes House which houses the Billy's Restaurant and that use is authorized by Special Permit which was granted back in 1986 for the two uses upon condition that the applicant comply with his application and a site plan. That site plan provided for parking arrangements showing certain type of parking stalls, number of parking stalls, and a circulation pattern for people coming and going from the premises. That's what the City of Lincoln is seeking to maintain and keep in force is that parking lot arrangement which was approved under the Special Permit. We feel that is our duty and responsibility to insure compliance with the terms of Special Permit that if the owner of the Noble Dawes house and that premises desires to change that they have the opportunity to go back in and seek to amend their Special Permit to provide for a different parking arrangement and different location. The conditions of the approval of that Special Permit only required a mandatory 10 parking stalls shown on site. The testimony did talk about having an additional 20 spaces which were on an abutting parking lot. That parking lot is owned by Mr. Lineweber who was also the applicant at the time for the Noble Dawes house so additional parking was provided off-site of the Special Permit. He had talked about having 20 stalls in addition to the 10 or 20 stalls during the prime time business hours. And, that's what we're probably going to still try to seek to enforce if he does seek to amend this Special Permit is to maintain the number of parking stalls originally anticipated for the building unless a smaller amount of parking would be approved under the Special Permit or amendment there to. So, hopefully we'll keep our focus on what's before us and that is really the terms of the Special Permit and not the controversy between the two property owners. As to procedure I would ask that maybe you just take the public testimony today and that you delay action until next week so our office can prepare a Resolution regarding either approval or denial of the Show Cause Hearing. Do you have any questions?

Rodger Harris, Building & Safety Dept.: This matter comes to you because of the ongoing discussions with various parties involved and we could not bring this back to, in compliance with the Special Permit. The particular change that has occurred here is the reconfiguration of the striping of the parking lot that does not comply with the approved parking lot site plan. The changes, the packet that I believe you have has the original parking lot plan. The changes that were made were basically to angle the parking immediately east of the Noble Dawes House and to provide additional parallel parking spaces just to the east of that again. And, that configuration differs from the approved site plan. Request was made to reconfigure it and is still in that configuration and it's brought to you with noncompliance with the Special Permit. Is there any questions that I may answer?

Ray Lineweber, no address given: Good afternoon Mr. Chairman and members of the Council, it's good to see all of you. I appreciate the City according me the opportunity to finally express the facts of what's going on over at 1301 H. It's basically been the Hatfield and McCoy's

without the weaponry and I'm thankful for that, of course. As you know the briefing packet that I circulated this morning gives you 12 exhibits of an overview of what's the situation on H Street and a special thanks to Chief Casady and Captain Citta and Sgt. Jackson and Council Anderson for returning my stolen truck after our meeting with them a couple of weeks ago. And, I'm hoping that we can bring some closure to this relatively soon. I won't go through the exhibits and details as you all have them. I do, however, desire to make certain why I chose to address the issue with paint instead of a pistol. I received a letter on August 27, 1999 from one Mark GutierrezBecher and Sonia telling me they no longer needed my parking as they have made other arrangements. And, you need to know that for 15 years previously we'd enjoyed a great partnership with HMR Development in that they leased a lot from me. And, in your packet you, from the City, you show a lot design showing that section on my side of the lot wherein there are by the design a total of 21 stalls and that came courtesy the Hunzeker Law Firm in a letter to my folks, to my Counsel. When one Mark GutierrezBecher approached Nader Farabod who bought Billy's from me and said you need to help me get to Ray. When he said he was going to start towing customers I preferred to paint the line instead of worry about people having their vehicles stolen off of my property. And, in doing so and painting that line we also did the other stalls so instead of them having 21 stalls we ended up, er 22 stalls we ended up within the neighborhood of 26 or 27. So, we actually increased our stalls by 5 which we were pleased at. But, of course that's not the only stalls that we have over there. The new car dealers has 12 stalls to the southwest of Billy's along the alley and I've leased them from them. Councilwoman Seng, as you recall the original hearing I committed to you if we ever had a parking problem with my property I'd address it. I responsibly did that so the staff had a place to park so the patrons of Billy's could use Billy's stalls. And, furthermore the good folks in the church they use Billy's parking lot and the new car dealers' parking lot which I lease every Sunday. And I'm pleased to be a partner in the neighborhood and in turn they allow us to use the church parking lot for overflow parking if we need it. I use it maybe once or twice per year. I, ironically, like last Sunday my lots full and I'm pleased, the congregation is growing. But, when a person went to the new car dealers to lease property (inaudible). I put up cables to separate our property on 4-19. I have the new car dealers lot leased. You know that caused me some concern, concern because he had no respect for my property number one, number two he had sent me a letter saying he no longer needed it. So then, I thought well we'll not only paint it we'll put up a cable to keep our people off his property because I travel a lot I don't want an embarrassing situation when an unwary person were to pull in and have their vehicle stolen by him. Obviously, he'd have to come across my property to do it. So, on or about the 19th of April Mr. & Mrs. Becher filed for a restraining order from the Honorable Judge McGinn and, Judge McGinn denied it. I thought maybe there'd be some closure then. Maybe somebody would come to their senses. But, that wasn't enough, you know, the cables remain, continued to be stolen, construction tape I put up was cut. He admitted doing so. He told Nader Farabod he was going to build a fence. Told him he was going to build his own parking lot. Fine, do so, that's your property, do what you want to do, but please don't try to confuse and make his tenants angry at me because I wanted to make certain my customers had plenty of stalls. And, the battle went on and obviously it came to a head on or about the 23rd of May when in fact I had my vehicle across the entrance to the back inside my property and Mr. Becher showed up and parked on the Kimball property and I forgot to tell you the Kimball right behind us from time to time they park on mine, that's no problem because every now and then an unwary person parks over there. It's all part of a partnership. So, I'd been gone into my office and within 20 minutes a wrecker shows up and proceeds to take my vehicle off my property and I called the Police and they reacted to, they sent cruisers out immediately and I said to the Policeman, please don't let him steal my Bronco, and the Policeman said this is a civil dispute. And I said Officer, I said, "if you give me your home address, you know, I don't like you I'll be stealing your vehicle every weekend playing hide and seek", or taking, I should say, and he calmly said, "call you Council", which is probably the right thing for him to tell me at that point because I was not happy. So what do we do? And, your Law Dept. has a duty, obviously, we may not have been here had I talked to them prior or as soon as Mr. Becher cancelled the parking with me that the others held for 15 years. I know the history of what our parking is, what my needs are. I've monitored it and, you know, on or about February 11th which was the Friday before Valentines Day somebody over there thought well we'll get real cute. You know, normally the signs were reserved for the tenants in Capital Park from 6:00 a.m. to 6:00 p.m. and we did that from confusing the Billy's customers. So, somebody put tape over the 6:00 a.m. to 6:00 p.m. on that date full knowing that we'd

have a Valentines Day crowd and there'd be more controversy. Well, the luxury was that there wasn't controversy. We got through it. We didn't park a vehicle on his property. On the 12th and 13th we didn't park a vehicle on his property. You know we had some on H St., we had a couple across the alley, and I monitored it religiously since he put the tape over the stalls. I don't need his parking to comply and we're pleased with that. Mother's Day weekend we were full and the restaurant was full. We didn't use his parking. On Easter we didn't use his parking because we didn't need it. So the hysteria that's been created over the situation from probably the stack of letters that you've gotten from people in the 1327 building shouldn't be directed at me, but rather at their landlord who said we don't need your parking. You know, I have a duty to take care of my own property and people, you know, some people say well you charge too much for parking. Well, you know, the grant situation was set up, you know I probably could have applied for grant when I did the Dawes House. Well, you know grants were honorable set up for people who really didn't have & intended for people of lesser monetary standards. But, all too often those with a silver spoon dip in that gravy bowl taking them. And, I didn't want to do that, because I knew that I had a lease with HMR Development and that would allow me to pay for my loan. And, so I didn't apply for a grant. I clearly say to you and you know I'm accustomed to telling the truth so what I did prior to coming here I called Craig at Arrow Striping who did the painting for me and he assured me that it met City code when he did it so and I'm not casting blame on him. He only did what I contracted him to do. He said he could remove the existing paint this weekend and I committed to him that's fine. You re-stripe my side the way it was, the way the site plan shows on my side and what I'm going to do is I'm going to put my cable back up. It'll be the 5th one. Now, I'm not asking the Police to have him, Mr. Becher, return all the four previous ones, all he has to do is return one. You know, he's stolen cable, vandalized, stolen a vehicle, attempted to steal two of my vehicles and what kind of a message are we sending to the Citizens when we allow people to do renegade acts like this. And, certainly I've been calm the whole time, because I thought maybe he'd come to his senses. I thought maybe he'd respect my property, but obviously until such time as the City told him on or about June 2nd to stay off my property he was like a kid on Halloween run through it all the time as if he owned it. You know, that's wrong. So ... excuse me go ahead.

Mr. Shoecraft: What, the enforcement of the cable, did you do some research on that?

Mr. Cook: Well I just talked to Chief Casady earlier on today about that, and he made it clear that he felt that that was a theft situation and would be enforced as such if there were future attempts to steal property from you like that. So, I was pleased that the Police Dept. has indicated how they will deal with this issue in the future and so I hope that you don't have a problem like that.

Mr. Lineweber: Well, thank you Councilman I certainly appreciate that because that's, you know that's all I was asking for when I called the Officers. And, you have a copy of the Police report in there and the Police always thought it was a civil dispute, but when the Judge ruled against him on the TRO he should have known better, you know. And, clearly it's still my property and as Councilwoman Seng as I committed to you 15 years ago if I ever have a parking problem I'll address it honorably. I won't, I don't want my people to trespass on somebody else's property and when the paint comes off of that yellow line going down the lot the cable will go back up because I don't know if he'll send a wrecker on property to steal those people's cars. I don't know. He's unpredictable. You know, I wish he were a better businessman. I wish he would have come to talk to me. What he did initially he said he was going to build his own lot and build a fence and I said, "fine, please do so". So, that's where we are and my fine Counsel Mr. Wittstruck had a previous meeting he couldn't be here right when you started. He got through things a lot quicker today than we planned. And, I commend you for that. So, any questions I'd welcome those, but in summation, yes, we're going to re-stripe it as the original design shows and, of course, we are going to take measures and I will file for a permit to construct a wall along that property line so I don't have a problem with my people getting over where they don't belong.

Mr. Cook: Is it appropriate for, to, I guess, defer any action on our part and to wait and see, if you want to go ahead with re-striping to meet with the current site plan and then submit any revisions that you may desire. I think Building & Safety can follow up and let us know if they're alright with everything. I don't see, if you're going to go ahead with that, why we would be taking any action.

Mr. Lineweber: And I certainly appreciate that and to confirm that we're doing that then I told Craig at Arrow Striping, his telephone number is 477-7060, so if anybody doubts that I conferred with him they can

please call him. But, I will send a letter of confirmation to this body saying this is what I'm going to do because I want you to have a record of it. You know it's best when we have records.

Mr. Shoecraft: Is that appropriate Dana?

Mr. Roper: Yes.

Mr. Shoecraft: Thank you Ray.

Mr. Lineweber: Thank you very much.

Mr. Cook: I guess my question is, are we going to go ahead with further Public Hearing on this issue or is it appropriate to make a motion to defer any action until a future date and ... it's appropriate to make a motion?

City Clerk: Do you want to have any additional Public Hearing here right now?

Mr. Roper: I don't think in light of the (inaudible) we really need any.

Mr. Cook: I would move that we defer this, I don't know if we need a time frame or wait for a report back from Building & Safety.

City Clerk: Maybe hold it over to July 3 then we can, then we can, you know, if it's ready to act upon then we can do it.

Mr. Cook: OK, so I make a motion that we defer this until July 3.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ADJOURNMENT

2:36 P.M.

FORTENBERRY Moved to adjourn the Show Cause Hearing of June 19, 2000.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

Paul A. Malzer, Jr., City Clerk

Judy Roscoe, Office Assistant III

